

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STANLEY LOGAN,)
)
 Plaintiff,)) No. 4:07-CV-1948 CAS
 v.))
)
 MICHAEL CHERTOFF, Secretary of the)
 Department of Homeland Security, et al.,)
)
 Defendants.))

ORDER

This matter is before the Court on plaintiff's second motion to compel [Doc. 48] and a motion for reconsideration of the Court's order dated August 5, 2008, which denied plaintiff's first motion to compel [Doc. 51]. Much of substance of the two motions before the Court, and the issues raised therein, are identical to those raised in plaintiff's first motion to compel.

As in plaintiff's first motion to compel, plaintiff is again asking the Court to compel defendant Chertoff to elaborate on his response to Interrogatory No. 1 "as to [why] Mr. Nelms gave false information respecting retaliatory termination of Plaintiff to DFS Switzer, ADFS Muschler and Investigator Klobe." Plaintiff sets out nine additional items of information he seeks to have compelled in regard to Interrogatory No. 1, including texts of conversations referred to in faxes, missing pages of attachments, explanations of why things were withheld or concealed from plaintiff, and motives for items written in faxes. Additionally, in plaintiff's second motion to compel and his motion for reconsideration, plaintiff is asking that the Court compel defendant Chertoff to provide further information in response to Interrogatories Nos. 2 and 3. In particular, plaintiff is seeking additional information about an alleged "empirical investigation" conducted by Wayne Klobe and background

checks.

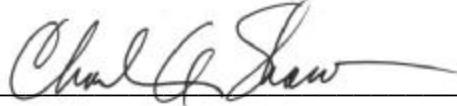
Upon careful consideration of the two motions, the Court finds a hearing on this matter is not necessary, and the Court will decide plaintiff's motions on the written record before it. The Court has once again reviewed plaintiff's arguments and the responses defendant provided to plaintiff's interrogatories, and the Court concludes its prior findings have not changed. Many of the interrogatories are vague and confusing, and subject to objection. Additionally, much of the information plaintiff seeks may be more appropriately gathered through deposition testimony or narrowly tailored document requests. The Court also finds that much of the information plaintiff is asking the Court to compel has been provided and plaintiff is really looking for a different response, because he is unhappy with or disagrees with the responses defendant provided. This is not an appropriate use of a motion to compel.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's second motion to compel defendant's responses to plaintiff's interrogatories is **DENIED**. [Doc. 48]

IT IS FURTHER ORDERED that plaintiff's motion for reconsideration is **DENIED**. [Doc. 51]

IT IS FURTHER ORDERED that the Court's order dated August 15, 2008, is **VACATED**. The hearing that was scheduled for August 29, 2008, at 9:00 a.m. is cancelled, and the Clerk of Court shall remove the hearing from the Court's docket.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 26th day of August, 2008.